

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Vickie M. Stringer

(List the full name(s) of the plaintiff(s)/petitioner(s).)

-against-

Simon & Shuster, INC (Atria Books)
a CBS Company Division

(List the full name(s) of the defendant(s)/respondent(s).)

125CV670 (____) (____)

Application for the Court to
Request Pro Bono Counsel

I ask the Court to request a *pro bono* attorney to represent me in this action. In support of my application, I declare under penalty of perjury that the following information is true and correct:

1. Have you previously filed a “Request to Proceed in Forma Pauperis” (an IFP application)? Please check the appropriate box below:

I have previously filed an IFP application in this case, and it is a true and correct representation of my current financial status.

I have not previously filed an IFP application in this case and now attach an original IFP application showing my financial status.

I have previously filed an IFP application in this case, but my financial status has changed. I have attached a new IFP application showing my current financial status.

2. Explain why you need an attorney in this case. (Please note that requests for *pro bono* counsel are rarely granted at the early stages of a case and usually not before the Court has issued a decision on the merits of the case.) If you asked for an attorney earlier in this case, please also explain what has changed since you last asked for an attorney.

As a pro se litigant, I lack the expertise to properly calculate and present copyright

damages, conduct the necessary accounting analysis, or effectively counter any motions

Defendant may file to set aside the default. Given that Defendant is a major publishing corporation that will likely retain sophisticated counsel if they attempt to challenge the default, I am at a severe disadvantage without legal representation.

3. Explain what steps you have taken to find an attorney and with what results. (Please identify the lawyers, law firms or legal clinics you have contacted and their responses to your requests. If you have limited access to the telephone, mail, or other communication methods, or if you otherwise have had difficulty contacting attorneys, please explain.)

James W. Wiggin III (previously represented me in related matter) - No

longer practicing copyright law and declined representation.

~~Copyright Alliance - Referred me to expensive private attorneys beyond my financial means.~~

OSU legal student affairs , Pitch letters and emails to various law firms

4. If you need an attorney who speaks a language other than English, state what language(s) you speak: _____.

5. I understand that if an attorney volunteers to represent me and that attorney learns that I can afford to pay for an attorney, the attorney may give this information to the Court.

6. I understand that even if the Court grants this application, I will receive *pro bono* counsel only if an attorney volunteers to take my case and that there is no guarantee that an attorney will volunteer to represent me.

7. I understand that if my answers on this application or in my IFP application are false, my case may be dismissed.

May 21, 2025

/s/Vickie Stringer

Date

Signature

Vickie stringer

Name (Last, First, MI)

Prison Identification # (if incarcerated)

3124 Genevieve Drive

Address

City

State

Zip Code

Columbus Ohio 43219

Telephone Number

E-mail Address (if available)

In ruling on an indigent litigant's request for counsel, the Court should consider the merits of the case, Plaintiff's efforts to obtain a lawyer, and Plaintiff's ability to gather the facts and present the case if unassisted by counsel. *See Cooper v. A. Sargent Co.*, 877 F.2d 170, 172 (2d Cir. 1989); *Hodge v. Police Officers*, 802 F.2d 58, 60-62 (2d Cir. 1986). "The factor which command[s] the most attention" is the merits. *Cooper*, 877 F.2d at 172. Because it is too early in the proceedings for the Court to assess the merits of the action, Plaintiff's motion for counsel is denied without prejudice to renewal at a later date. *See McBride v. C&C Apartment Mgmt.*, No. 21-CV-2989, 2021 WL 2077818, at *1 (S.D.N.Y. May 24, 2021).

SO ORDERED.

Date: 5/28/2025
New York, New York


Mary Kay Viskocil
United States District Judge